

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. CV 99-0017
)	
Plaintiff,)	
)	
v.)	STATUS REPORT
)	
COMMONWEALTH OF THE)	TINIAN DETENTION FACILITY
NORTHERN MARIANA ISLANDS,)	
GOVERNOR OF THE NORTHERN)	PART 1 OF 1 PARTS
MARIANA ISLANDS,)	
COMMISSIONER OF THE)	
DEPARTMENT OF PUBLIC)	
SAFETY, SECRETARY OF THE)	
DEPARTMENT OF LABOR AND)	
IMMIGRATION, SECRETARY OF)	
THE DEPARTMENT OF)	
COMMUNITY AND CULTURAL)	
AFFAIRS,)	
)	
Defendants.)	
)	



DEPARTMENT OF PUBLIC SAFETY

Commonwealth of the Northern Mariana Islands

P.O. Box 911, San Jose Village * Tinian, MP 96952

Telephone: (670) 433-9222



The Honorable Francisco M. Borja
Mayor, Tinian and Aguiguan

Commissioner Santiago F. Tudela
Department of Public Safety, CNMI

MEMORANDUM

Date: December 21, 2005

TO: Mr. Edward Buckingham
Consent Decree Coordinator

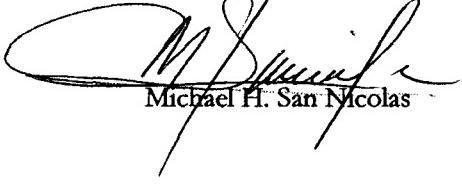
FROM: Acting Resident Department Head, Tinian DPS

SUBJECT: Quarterly Report for Tinian Detention Facility

Attached is the quarterly report for our detention facility. At the same time, I want to inform you that the detention area is being painted, tiles are changed and lighting systems are being fixed from typhoon mitigation grants. Also, an officer has been detailed to be the officer in charge of everything that deals with the detention facility. (See attachment). He has been familiarizing himself with the details.

If you have any questions, call or email me.

Thank you,


Michael H. San Nicolas

Cc: file

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The Honorable Francisco M. Borja
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Department of Public Safety, CNMI

MEMORANDUM

Date: November 21, 2005

TO: Sgt. Noel E. Santos**FROM:** Acting Resident Director

SUBJECT: Transfer of Duties
Re: Tinian Detention Facility/Detainees

This is to inform you that effective today, Monday, November 27, 2005 you are transferred from the Patrol Section to the Tinian Detention Facility to oversee the operations. As you may be aware already, the CNMI DPS and CNMI Corrections/Detentions are separate departments and Tinian DPS is handling both. We are also still under the Consent Decree handed down from the Federal Courts to ensure that our facilities are up to standard with the Department of Justice requirements. Therefore, your main responsibilities are as follows:

1. Ensure that the facility is clean for detainees to be comfortable during their stay.
2. You are responsible with all detainees in the facility and if you're not on duty, to ensure that the officers are properly handling the detainee(s). These may include but not limited to feeding of detainees, using the bathroom, coming to and from the court etc.
3. You are to maintain and keep all files (booking forms, log books etc.) that deal with the facility.
4. You are to submit monthly reports of anything that deals with your section to your Supervisor, Sgt. Fitial so that this information can be used for future references.
5. Finally, you may make suggestions and recommendations on how to improve our facility.

If you have any questions, or concerns regarding this new assignment, please check on Sgt. Fitial or Captain Palacios. I know that you will carry out your new assignment in a timely and professional manner.

Thank you,

A handwritten signature in black ink, appearing to read "Michael H. San Nicolas".

Michael H. San Nicolas

Cc: Operations Commander
 Asst. Operations Commander
 Consent Decree Coordinator, AG's Office

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Back up generators

SUBSTANTIAL COMPLIANCE XX YES _____ NO

STATUS / DOCUMENTATION

The back up generator is fully functional at this time. (See attached documentation).

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Emergency Lighting

SUBSTANTIAL COMPLIANCE XX YES _____ NO

STATUS / DOCUMENTATION

Tinian Detention facility has an emergency lighting receptacle in case of a power outage.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Food storage/refrigeration

SUBSTANTIAL COMPLIANCE YES XX NO

STATUS / DOCUMENTATION

The Tinian Detention facility does not have any food storage or refrigeration because we don't handle long term detainees.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Food Service equipment maintenance

SUBSTANTIAL COMPLIANCE XX YES _____ NO

STATUS / DOCUMENTATION

The Tinian Department of Public Safety does not have any food service equipment to maintain because we order meals from a local vendor which brings them to DPS whenever there is a detainee.

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

SCBA INSPECTION LOG-SHEET

DATE	GAUGE	INSPECTED BY	COMMENTS
01/10/05	FULL	FFII.V.M.CING	NEW SCBA
02/08/05	FULL	FFII.V.M.CING	NEW SCBA
03/07/05	FULL	FFII.V.M.CING	NEW SCBA
04/04/05	FULL	FFII.V.M.CING	NEW SCBA
05/13/05	FULL	FFII.V.M.CING	NEW SCBA
06/10/05	FULL	FFII.V.M.CING	NEW SCBA
07/07/05	FULL	FFII.A.L.DOSALUA	NEW SCBA
08/12/05	FULL	FFII.A.L.DOSALUA	NEW SCBA
09/16/05	FULL	FFII.A.L.DOSALUA	NEW SCBA
10/06/05	FULL	FFII.A.L.DOSALUA	NEW SCBA
11/10/05	FULL	FFII.A.L.DOSALUA	NEW SCBA
12/14/05	FULL	FFII.A.L.DOSALUA	NEW SCBA

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

FIRE ALARM INSPECTION LOG-SHEET

DATE	TYPE	INSPECTED BY	CONDITION
01/10/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
02/08/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
03/07/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
04/04/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
05/13/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
06/10/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm		
07/07/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		
08/12/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		
09/16/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		
10/06/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		
11/10/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		
12/14/05	Ceiling Smoke Alarm	FFII.A.L.DOSALUA	GOOD
	Wall Fire Alarm		

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

FIRE INSPECTION LOG-SHEET-2005

DATE	TYPE OF EXTINGUISHER	INSPECTED BY	COMMENTS
01/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
02/08/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
03/07/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
04/04/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
05/13/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
06/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
07/07/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
08/12/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
9/16/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
10/06/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
11/10/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
12/14/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

FIRE INSPECTION LOG-SHEET-2005

DATE	TYPE OF EXTINGUISHER	INSPECTED BY	COMMENTS
01/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
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03/07/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
04/04/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
05/13/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
06/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
07/07/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
08/12/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
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11/10/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE
12/14/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	FULL CHARGE

Department of Public Safety
Emergency Generator Check List



TINIAN HEALTH CENTER

PRIMARY HEALTH CARE DIVISION

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC HEALTH-ENVIRONMENTAL SERVICES

GOVERNMENT AND PUBLIC BUILDING INSPECTION REPORT

Building DPS Detention FacilityLocation Tinian DPSPerson in Charge Mr. Mike H. San NicolasAddress San Jose Village

1. Water Supply

- A. yes Source: Approved, Protected and Properly located.
- B. yes Drinking Facilities: Approved type, clean.
- C. yes Waste Water: Approved drainage - no standing pools.

2. Toilet Facilities

- A. yes Type: Adequate, approved.
- B. yes Cross-connection all safety precautions used
- C. no Maintenance: In good repair.
- D. no Floor, stools and seats cleaned daily.
- E. yes Toilet paper: Available and accessible.
- F. yes Light: Condition of seats readily observed.
- G. yes Ventilation: Properly ventilated.

3. Laboratories

- A. yes Hand washing Equipment lavatories, sinks – Approved.
- B. none Soap: Liquid or powdered soap.
- C. none Towels: Paper towels provided and properly stored.
- D. no Waste Water – Approved drainage. No standing pools.

4. Heating and Ventilation

- A. Air Condition
 - yes Temperature 68.70 °F
 - yes Frequency of air change sufficient to prevent odors.
- B. yes Temperature control.

Remarks: SEE ATTACHMENT.

5. Lighting

Finish:
no Light color on wall,
 ceiling
yes Clean.

6. Building

- A. Condition
 - no In reasonably good repair.
 - yes No fire or accident hazards.
 - yes Neat.
 - yes Floor clean.
- B. Floor Space
 - yes Adequate for desk space.
 - yes Clean.
- C. Cleaning Methods
 - yes No dusting and sweeping during work hours.
- D. Grounds
 - yes Well drained.
 - yes Trash, garbage – no fly breeding places.
 - yes Clean.
 - E. none Janitors room and supplies neat and clean.

7. Equipment

- yes Waste paper basket approved and use.

8. Ground

- yes No accident hazards.
- Others.

SANITARIAN

Received by:

12/21/05
 12/21/05
 DATE
 DATE



Commonwealth of the Northern Mariana Islands
Municipality of Tinian and Aguiguan
Bureau of Environmental Health

To : Mr. Mike San Nicolas
Acting Director-DPS Tinian
From : Bureau of Environmental Health
Date : December 21, 2005
Subject : DPS Detention Facility Inspection Result

The Department of Public Safety Detention Facility was inspected on December 21, 2005. The areas inspected were cells #1, #2, #3 and the female cell and shower room areas. The detention facility was found to be in an unsanitary condition.

The following is a list of deficiencies found during inspection:

- 1. Female Cell**
 - a. Light not working
 - b. Walls – needs repainting
 - c. Bedding are poor
- 2. Male and Female Shower Room**
 - a. Dirty (must be clean and maintained regularly.)
- 3. Cells #1, #2, & #3.**
 - a. Sink and Toilet area unsanitary and has a drainage problem.
 - b. Walls – needs repainting
 - c. Cloth Storage needs to be remove

The deficiencies listed above must be corrected as soon as possible to bring the DPS Detention Facilities up to Sanitary Living Standards. The above deficiencies are noted on previous inspections.

Rose Sylvia N. Cruz
Env. Health Tech I

A handwritten signature in black ink, appearing to read "Rose Sylvia N. Cruz". Below the signature, the name is typed in a standard font.